

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

RANDY CHARLTON,)	CASE NO. 1:07 CV 35
)	
Petitioner,)	
)	
v.)	JUDGE DONALD C. NUGENT
)	
MAGGIE BEIGHTLER, WARDEN,)	Magistrate Judge Limbert
)	
Respondent.)	<u>ORDER</u>

For the reasons stated in the attached Memorandum Opinion, the Joint Motion to Dismiss Habeas Corpus Proceedings as Moot (Docket #20) filed by the Parties is hereby GRANTED. Mr. Charlton's Petition for Writ of Habeas Corpus (Docket #1) is hereby DISMISSED as it is MOOT. This case is hereby terminated.

Further, the Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an appeal from this decision could not be taken in good faith, and there is no basis upon which to issue a certificate of appealability. 28 U.S.C. § 2253(c); FED. R. APP. P. 22(b).

IT IS SO ORDERED.


DONALD C. NUGENT
United States District Judge

DATED: December 14, 2007